

Message Text

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ORIGIN ORM-03

INFO OCT-01 NEA-10 ISO-00 SR-02 AID-20 SS-20 NSC-07 L-03

PRS-01 VO-03 SCA-01 CIAE-00 INR-10 NSAE-00 RSC-01

FBIE-00 SY-03 INSE-00 DODE-00 /085 R

DRAFTED BY S/R:ORM:JMCHALE:AVS

APPROVED BY S/R:LAWIESNER

ORM - MR. PAPPAS

NEA/IAI - MR. CLUVERIUS

S/R - MR. TURNER

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P 222122Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY TEL AVIV PRIORITY

C O N F I D E N T I A L STATE 058075

E.O. 11652: N/A

TAGS: SREF

SUBJECT: REQUEST FOR ASYLUM - HAVIV SCHIEBER

1. EMBASSY'S ASSISTANCE IS REQUESTED IN FURNISHING INFORMATION AND GUIDANCE, WITHOUT CONSULTING WITH GOI AT THIS STAGE, TO HELP FORMULATE DEPARTMENT'S RECOMMENDATION TO INS REGARDING VALIDITY OF CLAIM TO ASYLUM OF ISRAELI CITIZEN HAVIV SCHIEBER.

2. DEPARTMENT IN ACCORDANCE WITH PROVISIONS OF CONVENTION RELATING TO STATUS OF REFUGEES IS BEING ASKED TO CONSIDER (A) WHETHER SCHIEBER HAS A WELL-FOUNDED FEAR OF BEING PERSECUTED FOR REASONS OF RACE, RELIGION, NATIONALITY, MEMBERSHIP OF PARTICULAR SOCIAL GROUP OR POLITICAL OPINION IF HE IS RETURNED TO ISRAEL, AND (B) IF SCHIEBER'S FEAR IS WELL-FOUNDED, IS THERE A THREAT TO HIS LIFE OR FREEDOM IF HE ACTUALLY IS RETURNED.

3. SCHIEBER WAS BORN AUGUST 1911 IN KOMARNO, POLAND, NOW CONFIDENTIAL

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PART OF USSR. HE CLAIMS HE SETTLED IN HAIFA IN 1932,

SERVED IN ISRAELI ARMY 1949 TO 1950, AND WAS MAYOR OF BEERSHEVA IN 1949. HE ADMITS EIGHTEEN ARRESTS IN ISRAEL RESULTING IN FINES BUT NO IMPRISONMENT. ENTERED USA 1959 ON NIV. HAS BEEN SUBJECT OF DEPORTATION ORDER FOR OVERSTAY SINCE 1961. FIFTEEN COURT CASES AND APPEALS TO IMMIGRATION APPEAL BOARD HAVE BEEN DENIED DURING PAST TWELVE YEARS.

4. CLAIM TO ASYLUM IS BASED UPON ALLEGATION THAT SCHIEBER'S POLITICAL BELIEFS AND ACTIVITIES WOULD CAUSE HIM TO BE PERSECUTED UPON RETURN. SCHIEBER CLAIMS HIS ACTIVITIES SINCE 1958 HAVE BEEN INTERPRETED IN NEWSPAPERS IN ISRAEL AS ACTS OF A TRAITOR, AND THAT HE WOULD BE ARRESTED FOR VIOLATION OF PENAL CODE SECTION KNOWN AS "CONSORTING WITH THE ENEMY ACT". SPECIFIC CLAIMS MADE WERE (A) THAT ISRAELI NEWSPAPER MAARIV HAS INCLUDED HIM AMONG ENEMIES OF ISRAEL AND HAS PRINTED ARTICLES ABOUT SCHIEBER IDENTIFYING HIM AS ENEMY OF ISRAELI STATE; (B) THAT SCHIEBER HAS WRITTEN ARTICLES PUBLISHED IN ACTION, ARAB PUBLICATION IN US; AND THAT BROADCASTS BY SCHIEBER ON US LOCAL STATIONS WERE REBROADCAST ON RADIO CAIRO AND OTHER ARAB RADIO STATIONS; AND (C) MOST IMPORTANTLY, THAT DURING THE RECENT OCTOBER WAR, SCHIEBER PERMITTED EGYPTIAN AUTHORITIES TO RECORD MESSAGES BY HIM TO ISRAELI TROOPS.

5. IN RESPONSE TO REQUEST FOR EVIDENCE TO SUPPORT SPECIFIC CLAIMS, FOLLOWING HAS BEEN SUBMITTED TO DEPARTMENT:

A. TRANSLATION OF ARTICLE FROM MAARIV OF JANUARY 14, 1969 CONTAINED IN AL-ISLAH PUBLICATION OF JUNE 24, 1970 WHICH LISTS ORGANIZATIONS WHICH HAVE BEEN ACTIVATED TO HELP ARABS SINCE SIX-DAY WAR, AMONG ORGANIZATIONS IS ANTI-COMMUNIST LEAGUE OF ISRAEL IN EXILE OF WHICH SCHIEBER IS HEAD. FOLLOWING STATEMENT OF SCHIEBER IS QUOTED: "A JEWISH STATE DOES NOT EXIST IN ISRAEL. THERE EXISTS ONLY A TOY OF THE MARXIST CLIQUE.

B. PHOTOSTAT OF ACTION ARTICLE CONTAINING TEN QUESTIONS ATTRIBUTED TO HOLY LAND STATE COMMITTEE. POINTS ARE STRONGLY ANTI-ZIONIST, ADVOCATE ACCOMMODATION WITH PALESTINIAN ARABS AND CREATION NON-SECTARIAN HOLY LAND
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STATE. ISRAEL IS CLASSIFIED AS POLICE MARXIST STATE.

C. BROADCASTS PURPORTEDLY OCCURRED LATE OCTOBER OR EARLY NOVEMBER ON DATES UNSPECIFIED AND WERE BROADCAST BY RADIO CAIRO AND RADIO BAGHDAD. TAPE AND/OR TEXT UNAVAILABLE. FBIS REPORTS DO NOT MENTION.

6. CAN EMBASSY FURNISH COMMENTS ON PARAGRAPH 2 AS WELL AS

VERIFICATION REGARDING NEWSPAPER ARTICLES OR BROADCASTS.
WE WOULD APPRECIATE EMBASSY'S ASSESSMENT OF WHETHER
SCHIEBER IS WELL-KNOWN ANTI-ISRAEL FIGURE OR MERELY AN
ANTI-ISRAEL CRITIC ON THE PERIPHERY OF REAL INFLUENCE.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL ASYLUM, DEFECTORS, POLITICAL DEFECTORS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE058075
Document Source: CORE
Document Unique ID: 00
Drafter: ORM:JMCHALE:AVS
Enclosure: DC ALTERED
Executive Order: GS
Errors: N/A
Film Number: D740062-0166
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740321/aaaaatwf.tel
Line Count: 120
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN ORM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 13 AUG 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <13-Aug-2002 by kelleyw0>; APPROVED <09 JAN 2003 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REQUEST FOR ASYLUM - HAVIV SCHIEBER
TAGS: SREF, IS, US, (SCHIEBER, HAVIV)
To: TEL AVIV
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005